CALL TO ORDER
Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

ROLL CALL OF COUNCILMEMBERS
KING PARKER, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; BOB EDWARDS; TONI NELSON; RANDY CORMAN; TIMOTHY SCHLITZER.

CITY STAFF IN ATTENDANCE
JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; MARILYN PETERSEN, City Clerk; JIM SHEPHERD, Community Services Administrator; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; MICHAEL KATTERMANN, Director of Neighborhoods & Strategic Planning; LYS HORNISBY, Utility Systems Director; ABDOU GAFOUR, Water Utility Supervisor; DEREK TODD, Finance Analyst; AUDREY MOORE, Community Program Coordinator; CHIEF GARRY ANDERSON, Police Department.

APPROVAL OF COUNCIL MINUTES
MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE MINUTES OF MAY 17, 1999 AS PRESENTED. CARRIED.

SPECIAL PRESENTATION
Police Department Volunteer Recognitions
Chief of Police Garry Anderson and Community Program Coordinator Audrey Moore presented awards to the following Police Department volunteers, in recognition of the valuable contributions they make to the department’s operations and services:

Connie Smith, who was chosen as the Volunteer of the First Quarter for 1999;
Eugene Olson, who has donated 500 hours of service since March, 1996;
Tom Flewin, who has donated 1,500 hours of service in the last six years and who was chosen as an employee of the quarter last year; and
Inez Oakley, who has given 3,000 hours of service since she began volunteering in June of 1987.

ADMINISTRATIVE REPORT
Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City’s recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- A special City Council meeting held on Thursday, May 20th regarding the Regional Wastewater Services Plan will be re-cablecast daily through the end of June.
- Metro Pacific Community Credit Union donated $500 to the City’s scholarship program administered by the Human Services Division.
- On Friday May 21, Renton’s Fire Department presented a DUI consequence drill at Liberty High School in cooperation with the Issaquah School District, Renton’s Police Department and the King County Sheriff’s Department.

CONSENT AGENDA
Items on the consent agenda are adopted by one motion which follows the listing.

Appointment: Planning Commission
CAG: 99-059, South Renton Sanitary Sewer Replacement (Phase 2), Gary Merlino

City Clerk reported bid opening on 5/18/99 for CAG-99-059, South Renton Sanitary Sewer Replacement (Phase 2); ten bids; engineer’s estimate $1,447,879.09; and submitted staff recommendation to award the contract to the low bidder, Gary Merlino Construction Co., in the total amount of $1,180,783.04. Council concur.

Human Services: 1998 Local Law Enforcement Block Grant

Human Services Division recommended setting a public hearing on June 7, 1999 on the 1998 Local Law Enforcement Block Grant. Council concur.

CAG: 97-099, Monster Road Bridge Replacement, CA Carey

Transportation Systems Division submitted CAG-97-099, Monster Road Bridge replacement; and requested approval of the project, commencement of 60-day lien period, and release of the retainage bond to C.A. Carey Corp., contractor, if all required releases are obtained. Council concur.

CAG: 98-029, 1998 Street Overlay, MA Segale

Transportation Division submitted CAG-98-029, 1998 Street Overlay project; and requested approval of the project, authorization for final pay estimate in the amount of $19,198, commencement of 60-day lien period, and release of retained amount of $18,863.01 to M.A. Segale, Inc., contractor, if all required releases are obtained. Council concur.

CAG: 98-096, Scour Remediation for May Creek Bridge & Oakesdale Drainage Ditch Culvert, Kohl Excavating

Transportation Division submitted CAG-98-096, Scour Remediation for the May Creek Bridge & Oakesdale Ave. SW Drainage Ditch Culvert; and requested approval of the project, commencement of 60-day lien period, and release of retained amount of $1,810.06 to Kohl Excavating, Inc., contractor, if all required releases are obtained. Council concur.

CAG: 98-090, Williams & Wells Avenues Bridge Painting, A&A Coatings

Transportation Division submitted CAG-98-090, Williams and Wells Avenues Bridge Painting; and requests approval of the project, commencement of 60-day lien period, and release of retained amount of $4,794.58 to A&A Coatings, Inc., contractor, if all required releases are obtained. Council concur.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

OLD BUSINESS
Committee of the Whole

Parks: Former City Hall Repair and Remodeling

Council President King Parker presented a Committee of the Whole report regarding work required in the former city hall building. The Committee of the Whole recommended concurrence in the staff recommendation to proceed with the repair and remodeling work necessary to improve the condition of the former city hall. This work will be subject to the guidelines contained in the staff report on this subject. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee

Public Works: Tony’s Cleaners Relocation Assistance (Aquifer Protection Regulations)

Utilities Committee Vice Chair Schlitzer presented a majority committee report regarding Tony’s Cleaners business relocation incentive. The Committee met twice to consider the request from Tony’s Cleaners for an increase in business relocation incentive and for the disbursement of payment prior to incurring relocation expenses. A majority of the Committee recommended the following:

1. Not authorize an increase in the total relocation incentive from the current maximum limit of $60,000; and

2. Not disburse the relocation incentive payment until the applicant submits verification of relocation expenses. As an alternate, the City can deposit the remaining balance of relocation incentive funds into an escrow account. The funds can only be disbursed to cover the costs incurred by the applicant as allowed by the administrative rule for the business relocation assistance
program. The estimated remaining relocation funds balance is $36,000.

The City’s offer of the $60,000 payment is an incentive for business owners to expedite the relocation of their business out of Zone 1 of the Aquifer Protection Area by the end of 1999, thereby reducing the risk of contamination of the aquifer. The relocation incentive was not intended to compensate for all relocation costs or to buy out existing businesses.

Staff will work with the applicant and the applicant’s lending institution to assure that funds are available for use consistent with City Code and with the administrative rules regarding the business relocation assistance program. All agreements related to the disbursement of funds will be subject to the review and approval of the City Attorney. (The minority committee report follows.)

Public Works: Tony’s Cleaners Relocation Assistance (Aquifer Protection Regulations)

Utilities Committee Chair Clawson presented a minority committee report regarding Tony’s Cleaners business relocation incentive. The Committee met twice to consider the request from Tony’s Cleaners for an increase in business relocation incentive and for the disbursement of payment prior to incurring relocation expenses. A minority of the committee recommended the following:

1. Authorize an increase in the total relocation incentive from the current maximum limit of $60,000 to $74,000; and

2. Not disburse the relocation incentive payment until the applicant submits verification of relocation expenses. As an alternate, the City can deposit the remaining balance of relocation incentive funds into an escrow account. The funds can only be disbursed to cover the costs incurred by the applicant as allowed by the business relocation assistance program administrative rules.

With Council concurrence, the Chair further requested that the Administration prepare an ordinance for Council’s consideration that would amend the City Code to raise the maximum relocation incentive to $74,000. (See later this page for Council action on the majority committee report.)

Councilman Clawson felt that the proposal to increase the funds paid to Tony’s Cleaners from $60,000 to $74,000 was reasonable and a fairly good solution to this situation. He emphasized that the $14,000 under discussion, while not a large amount to the City, would nonetheless be of great consequence to the owners of Tony’s.

Councilman Parker said although he supported the minority committee report when this matter was first brought before Council two weeks ago, he now believed that it was a question of fairness. Noting that all the businesses who were potentially affected by the Aquifer Protection regulations were given the same information describing the relocation incentive program, he added that the City has allowed businesses plenty of time to relocate under this program. Mr. Parker concluded that he now supported the majority committee report.

MOVED BY SCHLITZER, SECONDED BY KEOLKER-WHEELER, COUNCIL APPROVE THE MAJORITY COMMITTEE REPORT.*

Responding to Councilman Edwards, Councilmember Keolker-Wheeler confirmed that one condition of the administrative rule on this matter states that Tony’s must maintain a business presence in Renton in order to qualify for the incentive program. The owners can accomplish this by simply having a “drop shop” where customer orders continue to be processed although the actual drycleaning is done elsewhere.
Planning & Development Committee
Planning: Multi-Family Urban Zoning Code Changes

Planning & Development Committee Chair Keolker-Wheeler presented a report recommending that a public hearing be set on June 7, 1999 on proposed changes to the Multi-Family Urban Zoning Code. These proposed changes would make several procedural changes in the zoning text. MOVED BY KEOLKER-WHEELE, SECONDED BY SCHLITZER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Convenience Commercial (CC) Zone Changes

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the proposed development agreement and covenants for the area of the Taco Time headquarters, and proposed amendments to the Convenience Commercial (CC) zone. First, based on the adopted Planning & Development Committee report from January 4, 1999, staff has prepared proposed amendments to the CC zone office allowances as well as minor amendments to accessory storage in all commercial and industrial zones. A public hearing is needed in relation to the proposed amendments.

Second, also based on the adopted committee report, staff in conjunction with the City Attorney have prepared a proposed development agreement for the Taco Time corporation and property owner. The development agreement is based on the ultimate adoption of CC zone amendments regarding allowances for existing, legal administrative headquarters offices with minor parking and square footage allowances. The agreement would include Environmental Review Committee mitigation measures. Since the proposed development agreement changed substantially since the time of the Planning Commission’s public hearing last September 1998, another public hearing should be held.

Last, as another implementation of the last adopted committee report, the City Attorney has prepared covenants for the Conrad properties to be redesignated from Residential Single Family/R-8 to Residential Options/R-10. Other covenants have been prepared related to ERC mitigation measures for the Cedar River Barbershop and Market which would be redesignated from Residential Single Family/R-8 to Convenience Commercial (CC).

The Planning and Development Committee also recommended two public hearings be held on the same evening for the CC zone amendments, and for the proposed Taco Time development agreement. The recommended hearing date for both items would be June 14, 1999.

The Committee also recommended approval of the proposed covenants for the Conrad and the Cedar River Market and Barbershop properties. MOVED BY KEOLKER-WHEELE, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Development Services:
Bethlehem Lutheran Church Tree Clearing (Variance Request)

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the request from Bethlehem Lutheran Church for tree clearing. This issue was heard by the committee on May 20, 1999. Mr. Larry Holcomb, representing Bethlehem Lutheran Church (1024 Monroe Ave. NE), had requested that the Council allow the church to vary from the Land Clearing and Tree Cutting Ordinance by permitting the removal of 24 cottonwood trees simultaneously, rather than at the rate of six trees per year as allowed by Code.
Four potential options were identified:

1. The church could apply for a hearing examiner variance from the Land Clearing and Tree Cutting Ordinance in order to allow the simultaneous clearing of 24 trees.
2. The church could consult a certified forester, licensed landscape architect, or an arborist to determine the health and/or hazard potential of the trees. Trees determined to be unhealthy or hazardous could then be removed without a variance.
3. The church could remove a maximum number of six trees in a 12-month period from the site as permitted by Code.
4. The Committee could refer the matter to Strategic Planning for study in order to determine whether revisions to the Code should be considered.

The Committee discussed these four options with church representatives and advised them as follows:

1. The committee recognized the applicant’s ability to request a variance from the Hearing Examiner. Such a variance would require the appropriate fees and submittal materials. However, the Hearing Examiner could only grant the variance if the applicant met all the variance criteria. It appears unlikely that such a variance could be justified.
2. The committee advised the applicant that, according to existing City Code, they could remove any trees determined to be dead, diseased or hazardous as certified by a forester, landscape architect or arborist. In addition, up to six additional trees could be removed in a 12-month period according to the code.
3. The committee advised the church that they could remove up to six trees at this time and select six trees to be removed 12 months later in accordance with City Code.
4. Finally, the committee discussed whether the matter should be referred to Strategic Planning for study and recommendations. This portion of the Code is currently being reviewed as part of work on the Sensitive Areas Ordinance. However, because of recent issues such as the listing of certain species of salmon under the Endangered Species Act, the Code would likely be more restrictive with regard to tree cutting. Since the code is already under review, further action to refer this item is unnecessary.

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Legal: Adult Bookstore Moratorium (Extension)
Explaining that the City’s ordinance relating to the siting of adult bookstores may not be ready before the current moratorium expires, it was MOVED BY KEOLKER-WHEELER, SECONDED BY EDWARDS, COUNCIL SET A PUBLIC HEARING FOR JUNE 14, 1999, TO CONSIDER EXTENDING THE MORATORIUM ON ADULT BOOKSTORES. CARRIED.

Finance Committee
Finance: Vouchers
Finance Committee Chair Edwards presented a report recommending approval of Claim Vouchers 170806 - 171265 and two wire transfers totaling $2,339,830.33; and approval of Payroll Vouchers 166532 - 166807 and 530 direct deposits in the total amount of $1,312,219.82 on 5/20/99. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Parks: Swimming Pool to Replace Henry Moses Pool
Councilman Corman called Council’s attention to a recent Seattle Times article describing a new swimming pool in Seattle’s Magnolia neighborhood. The article stated that the pool was paid for to a large extent by money which
Seattle received from King County as mitigation for building a sewage treatment plant at Discovery Park. The project also received $50,000 in King County grants and was additionally funded by private donations in exchange for personalized concrete tiles installed at the site.

Mayor Tanner agreed to follow up on this, saying he supported the proposal from King County Councilman Rob McKenna that Renton receive a minimum environmental mitigation of 10% of total project costs for both the current expansion and the next one. Under this proposal, Renton could receive up to $30 million for community enhancements.

**ORDINANCES AND RESOLUTIONS**

The following ordinance was presented for second and final reading:

**Ordinance #4782**

City Clerk: Establishing Priority for the Master Zoning Use Table

An ordinance was read amending Section 4-2-050.C of Chapter 1, Land Use Districts, of Title IV (Development Regulations) of City Code by clarifying priority in the event that the Master Zoning Use Table and individual use tables conflict. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. CARRIED.

**EXECUTIVE SESSION**

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL ADJOURN INTO EXECUTIVE SESSION FOR 30 MINUTES TO DISCUSS LABOR NEGOTIATIONS. CARRIED. Time: 8:12 p.m.

The meeting was reconvened at 8:42 p.m.; roll was called; all Councilmembers present.

**ADJOURNMENT**

MOVED BY SCHLITZER, SECONDED BY EDWARDS, COUNCIL ADJOURN. CARRIED. Time: 8:43 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold

May 24, 1999